

# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US2004/025592

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K31/138 A61K31/5375 A61K31/4468 A61K31/538 A61K31/5415  
A61K31/40 A61K31/4025 A61K31/445 A61K31/439 A61P25/00  
A61P25/28

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K A61P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, CHEM ABS Data, BIOSIS, EMBASE, SCISEARCH, WPI Data, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	STAHL STEPHEN M: "Neurotransmission of cognition, part 2. Selective NRIs are smart drugs: exploiting regionally selective actions on both dopamine and norepinephrine to enhance cognition." THE JOURNAL OF CLINICAL PSYCHIATRY. FEB 2003, vol. 64, no. 2, February 2003 (2003-02), pages 110-111, XP008038406 ISSN: 0160-6689 the whole document	1-6
X	WO 02/078629 A (DAVIS MICHAEL ; LU KWOK-TUNG (US); RESSLER KERRY J (US); UNIV EMORY (U) 10 October 2002 (2002-10-10) abstract page 3, line 15 - line 21 page 6, line 25 - line 30; claims 1,4-6	1-6

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

### \* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

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"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

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"8" document member of the same patent family

Date of the actual completion of the international search

12 November 2004

Date of mailing of the international search report

- 7 04 2005

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 03/049724 A (YANG CHARLES RENKIN ; LILLY CO ELI (US); BYMASTER FRANKLIN PORTER (US)) 19 June 2003 (2003-06-19) the whole document -----	1-6
X	WO 02/053140 A (PHARMACIA AB ; SVENSSON TORGNY (SE); WONG ERIK HO FONG (US); UPJOHN CO) 11 July 2002 (2002-07-11) abstract page 2, line 25 - line 31 page 8, line 22 - line 31 page 14, line 30 - page 15, line 10 -----	1-6
A	EP 0 721 777 A (LILLY CO ELI) 17 July 1996 (1996-07-17) the whole document -----	1-6
A	DE 102 44 537 A (GERLOFF CHRISTIAN ; PLEWNIA CHRISTIAN (DE)) 10 April 2003 (2003-04-10) the whole document -----	1-6
A	WO 02/053104 A (EPSTEIN MEL H ; SENTION INC (US); WIIG KJESTEN A (US)) 11 July 2002 (2002-07-11) abstract; claims; examples -----	1-6

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US2004/025592

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 02078629	A	10-10-2002	CA 2442330 A1	10-10-2002
			EP 1383465 A2	28-01-2004
			JP 2004530666 T	07-10-2004
			WO 02078629 A2	10-10-2002
			US 2004208923 A1	21-10-2004
-----				
WO 03049724	A	19-06-2003	AU 2002352625 A1	23-06-2003
			BR 0213581 A	24-08-2004
			CA 2467802 A1	19-06-2003
			CZ 20040709 A3	13-10-2004
			EP 1458368 A1	22-09-2004
			HR 20040528 A2	31-10-2004
			SK 2442004 A3	01-12-2004
			WO 03049724 A1	19-06-2003
			US 2005009925 A1	13-01-2005
-----				
WO 02053140	A	11-07-2002	CA 2431041 A1	11-07-2002
			EP 1353675 A2	22-10-2003
			JP 2004517112 T	10-06-2004
			WO 02053140 A2	11-07-2002
			US 2002156067 A1	24-10-2002
-----				
EP 0721777	A	17-07-1996	US 5658590 A	19-08-1997
			AT 222757 T	15-09-2002
			AU 688665 B2	12-03-1998
			AU 4693896 A	31-07-1996
			BR 9606903 A	21-10-1997
			CA 2209735 A1	18-07-1996
			CN 1168095 A	17-12-1997
			CZ 9702145 A3	14-01-1998
			DE 69623141 D1	02-10-2002
			DE 69623141 T2	24-04-2003
			DK 721777 T3	07-10-2002
			EP 0721777 A2	17-07-1996
			ES 2181845 T3	01-03-2003
			FI 972922 A	09-07-1997
			HU 9801283 A2	28-06-1999
			JP 10512262 T	24-11-1998
			NO 973170 A	02-09-1997
			NZ 301500 A	28-07-2000
			PL 321273 A1	24-11-1997
			PT 721777 T	29-11-2002
			RO 118374 B1	30-05-2003
			RU 2163802 C2	10-03-2001
			SI 721777 T1	28-02-2003
			TR 9700627 T1	21-01-1998
			WO 9621430 A1	18-07-1996
-----				
DE 10244537	A	10-04-2003	DE 10244537 A1	10-04-2003
-----				
WO 02053104	A	11-07-2002	WO 02053104 A2	11-07-2002
			US 2002161002 A1	31-10-2002
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## Box II Observations where certain claims were found unsearchable (Continuation of Item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:  
**Although claims 1,3-6 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.**
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box III Observations where unity of invention is lacking (Continuation of Item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

**1-6 (all partially)**

Remark on Protest:

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-6 (all partially)

Use of atomoxetine or a compound of formula (I) for treating a learning disability  
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2. claims: 1-5 (all partially)

Use of racemic reboxetine or (S,S) reboxetine for treating a learning disability  
---

3. claims: 1-5 (all partially)

Use of a compound of formula (IA) for treating a learning disability  
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4. claims: 1-5 (all partially)

Use of a compound of formula (IB),(IC) or (IG) for treating a learning disability  
---

5. claims: 1-5 (all partially)

Use of a compound of formula (ID) for treating a learning disability  
---

6. claims: 1-5 (all partially)

Use of a compound of formula (IE) for treating a learning disability  
---

7. claims: 1-5 (all partially)

Use of a compound of formula (IF) for treating a learning disability  
---

8. claims: 1,2,6 (all partially)

Use of atomoxetine or a compound of formula (I) for treating a Motor Skills Disorder  
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9. claims: 1,2 (all partially)

Use of racemic reboxetine or (S,S) reboxetine for treating a Motor Skills Disorder

10. claims: 1,2 (all partially)

Use of a compound of formula (IA) for treating a Motor Skills Disorder

11. claims: 1,2 (all partially)

Use of a compound of formula (IB),(IC),(IG) for treating a Motor Skills Disorder

12. claims: 1,2 (all partially)

Use of a compound of formula (ID) for treating a Motor Skills Disorder

13. claims: 1,2 (all partially)

Use of a compound of formula (IE) for treating a Motor Skills Disorder

14. claims: 1,2 (all partially)

Use of a compound of formula (IF) for treating a Motor Skills Disorder

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